

UNITED STATES DISTRICT COURT

for the
DISTRICT OF
NEVADA

2015 JAN 26 A 11: 19

CLERK US DISTRICT COURT
DISTRICT OF NEVADA

ALAN R. ENGEL a/k/a ARI ENGEL,

Plaintiff

v.

WALTER MILGROOM,

Defendant

Civil Action:

2:13-cv 00672-JAD-PAL

MOTION FOR SUMMARY JUDGMENT and DISMISSAL

This matter is before the Court on the parties' failure to file a joint pretrial order as required by LR 26-1 (e)(5). And, the Court's order to file a joint pretrial order no later than February 5, 2015.

Defendant is unable to comply with this order for numerous reasons:

1. Plaintiff has made no contact with Defendant requesting any kind of communication since the lawsuit was filed in April 2013. The parties have not met or conferred in any way as required and directed by the Court with a deadline of July 28, 2014.
2. There has been no discovery by either party as directed by the Court with a deadline of November 7, 2014
3. There have been no amended pleadings, or parties added, as directed by the Court with a deadline of August 11, 2014
4. There has been no interim status report, as directed by the Court with a deadline of September 8, 2014
5. There has been no disclosure of experts, as directed by the Court with a deadline of September 8, 2014.
6. There has been no disclosure of rebuttal experts, as directed by the Court, with a deadline of October 8, 2014.
7. There have been no dispositive motions filed by either party, with deadline of December 8, 2014.
8. There was no joint pretrial order filed, as directed by the Court, with a deadline of January 7, 2015.

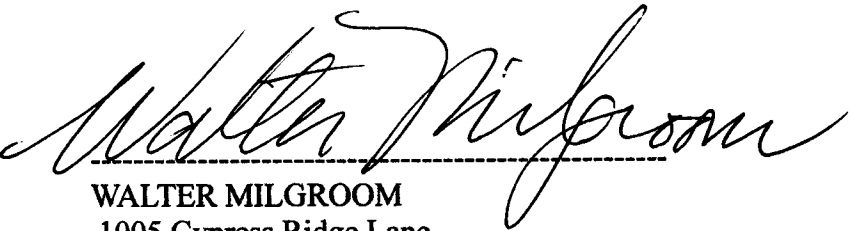
Based on the above detailed facts, Defendant is incapable of proceeding with any kind of pretrial

order. There has been no discovery. There are no witnesses. There have been no depositions. There are no points of law to be argued. There has been no attempt by Plaintiff to call Defendant by telephone, (as shown by incoming call records). There have been no letters from Plaintiff requesting anything. There appears to be no case of any kind, nor was there ever any case. Based on the complete lack of activity, and failure to comply with any of the Court's deadlines, it is obvious that the Plaintiff has been wasting the Court's time with what appears to be nothing more than a frivolous lawsuit.

At this time, Defendant makes a motion for Summary Judgment and Dismissal with Prejudice.

Submitted January 26, 2015

ATTORNEY PRO SE:

A handwritten signature in black ink, reading "Walter Milgroom", written over a horizontal dashed line.

WALTER MILGROOM
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